

IFW 1626

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	08/711,339	
	Filing Date	09/09/1996	
	First Named Inventor	Alfred Binggeli	
	Art Unit	1626	
	Examiner Name	L.L. Stockton	
Total Number of Pages in This Submission	3	Attorney Docket Number	10926 US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Group
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<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	John R. Parise
Signature	
Date	09/06/2006

CERTIFICATE OF TRANSMISSION/MAILING	
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PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application

Confirmation No.

Inventors: Binggeli et al.

Group: 1626

Application No. 08/711,339, filed September 9, 1996
(Case Docket No. 10926 US)

Examiner: L. L. Stockton

For: NOVEL PIPERIDINE DERIVATIVES HAVING RENIN INHIBITING ACTIVITY

COMMUNICATION

Nutley, New Jersey 07110
September 6, 2006

MAIL STOP AMENDMENTS
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants are in receipt of the August 23, 2006 Decision on (i) the Petition filed February 16, 2006 and (ii) the Petition filed March 2, 2001. Applicants look forward to prosecution being reopened and await further communication from the Patent Office.

To clarify the record, while applicants did file an Appeal Brief (i.e. the February 22, 1999 brief mentioned on page 2 of Paper No. 37), it is applicants' understanding the previous Examiner failed to deliver the Appeal Brief to the Board of Patent Appeals and Interferences because he was of the opinion that there was no rejection. This failure on

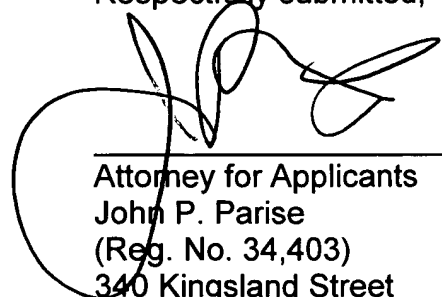
the part of the previous Examiner was what triggered the need for the Petition to Invoke the Supervisory Authority of the Commissioner.

While the Petition to Invoke the Supervisory Authority of the Commissioner was dismissed as being premature because the currently filed RCE has reopened prosecution and the Examiner has not yet rendered an Office Action on the merits, applicants commend the Patent Office on the recognition that under the authorities of *In re Hass* and *In re Weber* as set forth in the petition, the restriction would be tantamount to a rejection and thus subject to appeal to the Board of Patent Appeals and Interferences as there is no petitionable matter. Applicants only regret that this took over seven years to reach this recognition.

Applicants look forward to prosecution being reopened and await further communication from the Patent Office.

No fee is required in connection the filing of this Communication. If any additional fees are deemed necessary, authorization is given to charge the amount of any such fee to Deposit Account No. 08-2525.

Respectfully submitted,



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